LAW OFFICES OF

McGINN & GIBB, PLLC

A PROFESSIONAL LIMITED LIABILITY COMPANY
PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW
8321 OLD COURTHOUSE ROAD, SUITE 200
VIENNA, VIRGINIA 22182-3817
TELEPHONE: (703) 761-4100

FACSIMILE/DATA: (703) 761-2375; 761-2376

E-MAIL: MCGINNGIBB @ AOL.COM

SEAN M. MCGINN
PHILLIP E. MILLER†
FREDERICK E. COOPERRIDER†
FREDRIC J. ZIMMERMAN†
JAMES E. HOWARD†
JAMES N. DRESSER
JOHN J. DRESCH
SCOTT M. TULINO
JOHN P. SHANNON
TMEMBER OF BAR OTHER THAN VA

ANNAPOLIS, MD OFFICE FREDERICK W. GIBB, III MOHAMMAD S. RAHMAN†

September 17, 2004

VIA FACSIMILE

To: Examiner Erik J. Kielin

Group Art Unit No. 2813

U.S.P.T.O.

Facsimile No.: (571) 273-1693

From: Sean M. McGinn

Facsimile No.: (703) 761-2375

Re: Enclose

Enclosed Terminal Disclaimers

U.S. Patent Application Serial No. 09/902,783

Our Reference: YOR.129CIP

Dear Examiner Kielin:

Pursuant to your recent request, attached are copies of five Terminal Disclaimers (and date-stamped post card receipt) filed on August 25, 2004, responsive to the May 25, 2004 Office Action, which should place the above-referenced case in condition for allowance.

Thank you in advance for your kind consideration on this case.

Very truly yours

Sean M. McGinn

SMM:abs Enclosures

Total No. of Pages Transmitted: 7

70R.129CIP
Serial Number: 09 402,483 Papers Filed On: 0/25/09
。
Attorney's Docket Number OR 91999 040805 Patent Patent
Applicant's Name: CLOVALE + Application 7/16
Applicant's Name: COVALETAL Application Filing Date: 711/64
TP E CPA Request
Appeal Brief (in triplicate) Reply Brief
IDS AUG 2 5 2004 Documents Priority Document(s)
Assignment Recordation Cover Sheet Formal Drawings
D. BARRIER D.
Drawing Corrections Issue Fee Transmittal Missing Parts
Pother Terminal Disclaimers (5)
Fees Filed Herewith: \$ 550 \(\text{Check Charge Deposit Account: 50 050} \)
Hand Delivered

Suite 200

Vienna, VA 22182-3817 Customer No. 21254

1	CLAIMER TO OBVIATE A I ECTION OVER A PENDING		1.5	Docket No. YOR919990408US2
In re Application of:	Cabral et al.			CENTRAL FAX CENT
Application No.	09/902,483			SEP 1 7 2004
Filed:	July 11, 2001			
For: SELF-ALIGNI SILICON-ON-	ED SILICIDE (SALICIDE) PROC INSULATOR AND BULK MOSF	ESS FOR LOV ETS AND FO	W RESISTIVITY CO R SHALLOW JUNCT	NTACTS TO THIN FILM TIONS
any patent granted on defined in 35 U.S.C. 1 granted on pending se The owner hereby ag during such period that	International Business Machapplication hereby disclaims, exception the instant application, which wo 54 to 156 and 173 as shortened cond Application Number rees that any patent so granted at it and any patent application are rented on the instant application are	ept as provide uld extend be by any termina 10/287,476 on the instar he second ap	d below, the terminal yond the expiration data disclaimer filed print filed on the application shall be blication are commo	ate of the full statutory term or to the grant of any patent November 5, 2002 e enforceable only for and only owned. This agreement
application that would 173 of any patent grad grant, in the event that is found invalid by a c 37 CFR 1.321, has all	disclaimer, the owner does not dextend to the expiration date of office on the second application, at any such granted patent: expiration of competent jurisdiction, is claims cancelled by a reexaminfull statutory term as shortened by	the full statute is shortened b res for failure t s statutorily dis ation certificat	ory term as defined in y any terminal disclato to pay a maintenance claimed in whole or e, is reissued, or in a	n 35 U.S.C. 154 to 156 and imer filed prior to the patent of fee, is held unenforceable, terminally disclaimed under any manner terminated prior
Check either box 1 or	2, if appropriate.			
1. 🔲 For submagency, e	ilssions on behalf of an organiate.), the undersigned is empower	zation (e.g., c ed to act on be	corporation, partnerslehalf of the organizat	nlp, university, government ion.
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.				
2. 🗵 The unde	rsigned is an attorney of record.			
3. Owner/applica	nt is 🔲 Small entity	∠ Large ent	ity	
The terminal disclai	mer fee under 37 CFR 1.20(d) is	\$110.0	00 and is to I	pe paid as follows:
☐ A check in the a	amount of the fee is enclosed.			
The Director is to Deposit Acco	hereby authorized to charge any to unt Number 50-0510	fees which ma •	y be required, or cred	dit any overpayment,
PTO suggested wording	ng for terminal disclaimer was			•
⊠ unchan	MUG	l, an explanati	on should be supplied	d.)
)	Signature	1	I certify that this docum	ent and fee is being deposited on
Name and A Sean M. McGinn	ddress of Person Signing		class mail under 37 C.	with the U.S. Postal Service as first
Registration No. 34,386	•		Commissioner for Patent 22313-1450.	s, P.O. Box 1450, Alexandria, VA
McGinn & Gibb, PLL				
8321 Old Courthouse R				
Snite 200			Signature of Pers	on Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket No.

YOR919990408US2

CENTRAL FAX CENTE:

SEPI 1 7 2004

In re Application of: Cabral et al. Application No. 09/902,483

Filed: For:

July 11, 2001 SELF-ALIGNED SILICIDE (SALICIDE) PROCESS FOR LOW RESISTIVITY CONTACTS TO THIN FILM

SILICON-ON-INSULATOR AND BULK MOSFETS AND FOR SHALLOW JUNCTIONS

The owner, International Business Machines Corporation of 100.00 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/299,688 , filed on November 20, 2002

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement purpose with any patent granted on the instant application and its binding upon grantee. runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above discialmer, the owner does not discialm the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for fallure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2, if appropriate.

1.	For submissions on behalf of an organization (e.g., corporation, partnership, university, government	∍ni
	agency, etc.), the undersigned is empowered to act on behalf of the organization.	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2.	☑ The undersigned i	s an attomey of recon	d.	•
3.	Owner/applicant is	Small entity	∠ Large e	ntity
T	ne terminal disclaimer fee	under 37 CFR 1.20(d)	is	and is to be paid as follows:
	A check in the amount of	f the fee is enclosed.		
×	The Director is hereby a to Deposit Account Num	uthorized to charge a ber 50-0510	ny fees which m	nay be required, or credit any overpayment,
PTC	suggested wording for ter	minal disclaimer was		
	⊠_unchanged.	☐ changed (if changed)	ged, an explana	ation should be supplied.)
	San III	Uffi	Dated:	August 25, 2004
	Name and Address of P	erson Signing		I certify that this document and fee is being deposit with the U.S. Postal Service
Coon	M McGinn	•		class mail under 37 C.F.R. 1.8 and is addressed

Registration No. 34,386 McGinn & Gibb, PLLC 8321 Old Courthouse Road

Spite 200

Vienna, VA 22182-3817 Customer No. 21254

ed on as first to the commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket No.

In re Application of: Cabral et al.					
Application No. 09/902,483					
iled: July 11, 2001					
For: SELF-ALIGNED SILICIDE (SALICIDE) PROCESS FO SILICON-ON-INSULATOR AND BULK MOSFETS A	THE PLAN THE PROPERTY OF THE P				
The owner, International Business Machines Corporation of 100.00 percent Interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/569,306 , filed on May 11, 2000 The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.					
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.					
Check either box 1 or 2, if appropriate.	·				
agency, etc.), the undersigned is empowered to a					
I hereby declare that all statements made herein of my ow information and belief are believed to be true; and further th willful false statements and the like so made are punishable Title 18 of the United States Code and that such willful state any patent issued thereon.	by fine or imprisonment, or both, under Section 1001 of				
The undersigned is an attorney of record.					
3. Owner/applicant is Small entity L	arge entity				
The terminal disclaimer fee under 37 CFR 1.20(d) is	\$110.00 and is to be paid as follows:				
☐ A check in the amount of the fee is enclosed.					
The Director is hereby authorized to charge any fees w to Deposit Account Number50-0510	hich may be required, or credit any overpayment,				
PTO suggested wording for terminal disclaimer was					
unchanged. changed (If changed, an explanation should be supplied.) Dated: August 25, 2004					
Signature	I certify that this document and fee is being deposited on				
Name and Address of Person Signing Sean M. McGinn	with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA				
Registration No. 34,386	22313-1450.				
McGinn & Gibb, PLLC					
8321 Old Courthouse Road	Signature of Person Mailing Correspondence				
Suite 200					
Vienna, VA 22182-3817					
Customer No. 21254	Typed or Printed Name of Person Mailing Correspondence				

Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent			Docket No. YOR919990408US2	/ED
In Re Application Of: O	abral et al.		CENTRAL FAIL SEP 1 7	CENTE 2004
Serial No. 09/902,483	Filing Date July 11, 2001	Examiner Eric J. Kielin	Group Art Unit 2813	
	ENED SILICIDE (SALICIDE) PE OR AND BULK MOSFETS ANI			
Owner of Record: Inte	rnational Business Machines Cor	poration	•	
provided below, the termin the expiration date of the disclaimer, of prior Patent be enforceable only for an patent granted on the instantial in making the attapplication that would exterpatent, as presently shorted unenforceable, is founder 37 C.F.R. 1.321, has the expiration of its full stantial providers.	ied owner of record of a 100 pal part of the statutory term of any full statutory term defined in 35 L No. 6,503,833 B1. The owner her id during such period that it and the intapplication and is binding upon the over disclaimer, the owner does not to the expiration date of the full send by any terminal disclaimer, in the invalid by a court of competent is all claims cancelled by a reexamilation term as presently shortened in the court of the second terms.	patent granted on the instant ap J.S.C. 154 to 158 and 173, as reby agrees that any patent so g reprior patent are commonly on the grantee, its successors and/ not disclaim the terminal part of statutory term as defined in 35 to the event that it later expires for jurisdiction, is statutorily disclaim ination certificate, is reissued, o	oplication hereby disclaims, except as oplication, which would extend beyond presently shortened by any terminal tranted on the instant application shall whed. This agreement runs with any or assigns. of any patent granted on the instant J.S.C. 154 to 156 and 173 of the prior or faiture to pay a maintenance fee, is med in whole or terminally disclaimed r is in any manner terminated prior to	
For submissions undersigned is empowered information and belief are statements and the like sixtees Code and that such	that all statements made herein believed to be true; and further th	n. of my own knowledge are tru at these statements were made imprisonment, or both, under S	ersity, government agency, etc.), the see and that all statements made on with the knowledge that willful false section 1001 of Title 18 of the United on or any patent Issued thereon.	:
Sean M. McGir Type I Terminal disclaim PTO suggested w	In, Registration No. 34,386 I or Printed Name I or fee under 37 C.F.R. 1.20(d) inclusive for terminal disclaimer was a r 37 C.F.R. 3.73(b) is required if terminal disclaimer was a r 37 C.F.R. 3.73(b) is required if terminal disclaimer was a r 37 C.F.R. 3.73(b) is required if terminal disclaimer was a r 37 C.F.R. 3.73(b) is required if terminal disclaimer was a r 37 C.F.R. 3.73(b) is required if terminal disclaimer was a r 37 C.F.R. 3.73(b) is required if terminal disclaimer was a r 37 C.F.R. 3.73(b) is required if terminal disclaimer was a required in the required i	unchanged.	e assignee.	

Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent				Docket No. YOR919990408US2
In Re Application Of: Cabral et al.				
Serial No.	Filing Date	Examiner		Group Art Unit
09/902,483 July 11, 2001 Eric J. Kielin 2813				
	NED SILICIDE (SALICIDE) PR			CONTACTS TO THIN
SILICON-ON-INSULAT	OR AND BULK MOSFETS AND	FOR SHALLOW JUNCTIO	ONS	
Owner of Record: Inte	rnational Business Machines Corp	poration		
	TO THE COMMISS	ONER FOR PATENTS:		
The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 158 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,444,578 B1. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 158 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.				
Check either box 1 or 2 below, if appropriate. 1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.				
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
2. X The undersigned	is an attorney of record. Signature	Dated: August 25, 2004 _	ı	
	nn, Registration No. 34,386 ed or Printed Name	-		
 ✓ Terminal disclaimer fee under 37 C.F.R. 1.20(d) included. □ PTO suggested wording for terminal disclaimer was unchanged. Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee. 				